

110TH CONGRESS
2D SESSION

S. 3374

To establish a commission on veterans and members of the Armed Forces with post traumatic stress disorder, traumatic brain injury, or other mental health disorders, to enhance the capacity of mental health care providers to assist such veterans and members, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 31, 2008

Mr. SMITH (for himself and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To establish a commission on veterans and members of the Armed Forces with post traumatic stress disorder, traumatic brain injury, or other mental health disorders, to enhance the capacity of mental health care providers to assist such veterans and members, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Healing Our Nation’s
5 Heroes Act of 2008”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Since October 2001, approximately
4 1,640,000 members of the Armed Forces have been
5 deployed as part of Operation Enduring Freedom or
6 Operation Iraqi Freedom.

7 (2) 300,000 members of the Armed Forces are
8 suffering from major depression or post traumatic
9 stress because of service in Operation Enduring
10 Freedom or Operation Iraqi Freedom.

11 (3) 320,000 of the members of the Armed
12 Forces who served in Operation Enduring Freedom
13 or Operation Iraqi Freedom, or 19 percent of such
14 members, have received brain injuries from such
15 service.

16 (4) Only 43 percent of members of the Armed
17 Forces with a probable traumatic brain injury have
18 reported receiving a medical evaluation for their
19 head injury.

20 (5) Records of the Department of Veterans Af-
21 fairs show that 120,000 members of the Armed
22 Forces who are no longer on active duty have been
23 diagnosed with mental health problems, approxi-
24 mately half of whom suffer from post traumatic
25 stress disorder (PTSD).

1 (6) In the last year, only 53 percent of those
2 members of the Armed Forces with post traumatic
3 stress disorder or depression have sought profes-
4 sional help from a mental health care provider.

5 (7) Rates of post traumatic stress disorder and
6 depression are highest among members of the
7 Armed Forces who are women or members of the
8 Reserves.

9 (8) Efforts to improve access to quality mental
10 health care are integral to supporting and treating
11 both active duty members of the Armed Forces and
12 veterans.

13 (9) Without quality mental health care, mem-
14 bers of the Armed Forces and veterans may experi-
15 ence lower work productivity, which negatively af-
16 fects their physical health, mental health, and family
17 and social relationships.

18 (10) Cultural and personal stigmas are factors
19 that contribute to low rates of veterans of Operation
20 Enduring Freedom and Operation Iraqi Freedom
21 who seek mental health care from qualified mental
22 health care providers.

23 (11) The capacity of mental health care pro-
24 viders and access to such providers must be im-
25 proved to meet the needs of members of the Armed

1 Forces who are returning from deployment in Oper-
 2 ation Enduring Freedom or Operation Iraqi Free-
 3 dom.

4 (12) Community-based providers of mental
 5 health care are invaluable assets in addressing the
 6 needs of such members and should not be over-
 7 looked.

8 (13) Coordination of care among government
 9 agencies as well as nongovernmental agencies is inte-
 10 gral to the successful treatment of members of the
 11 Armed Forces returning from deployment.

12 **SEC. 3. COMMISSION ON VETERANS AND MEMBERS OF THE**
 13 **ARMED FORCES WITH POST TRAUMATIC**
 14 **STRESS DISORDER, TRAUMATIC BRAIN IN-**
 15 **JURY, OR OTHER MENTAL HEALTH DIS-**
 16 **ORDERS CAUSED BY SERVICE IN THE ARMED**
 17 **FORCES.**

18 (a) ESTABLISHMENT OF COMMISSION.—There is es-
 19 tablished a commission on veterans and members of the
 20 Armed Forces with post traumatic stress disorder
 21 (PTSD), traumatic brain injury, or other mental health
 22 disorders caused by service in the Armed Forces.

23 (b) MEMBERSHIP.—

24 (1) COMPOSITION.—The commission shall be
 25 composed of a chair and members appointed jointly

1 by the Secretary of Veterans Affairs and the Sec-
2 retary of Defense, including not less than one of
3 each of the following:

4 (A) Members of the Armed Forces on ac-
5 tive duty.

6 (B) Veterans who are retired from the
7 Armed Forces.

8 (C) Employees of the Department of Vet-
9 erans Affairs.

10 (D) Employees of the Department of De-
11 fense.

12 (E) Recognized medical or scientific au-
13 thorities in fields relevant to the commission,
14 including psychiatry and medical care.

15 (F) Mental health professionals who are
16 not physicians.

17 (G) Veterans who have undergone treat-
18 ment for post traumatic stress disorder, trau-
19 matic brain injury, or other mental health dis-
20 orders.

21 (2) CONSIDERATION OF RECOMMENDATIONS.—

22 In appointing members of the commission, the Sec-
23 retary of Veterans Affairs and the Secretary of De-
24 fense shall consult with nongovernmental organiza-

1 tions that represent veterans, members of the Armed
2 Forces, and families of such veterans and members.

3 (c) DUTIES.—

4 (1) IN GENERAL.—The commission shall—

5 (A) oversee the monitoring and treatment
6 of veterans and members of the Armed Forces
7 with post traumatic stress disorder, traumatic
8 brain injury, or other mental health disorders
9 caused by service in the Armed Forces; and

10 (B) conduct a thorough study of all mat-
11 ters relating to the long-term adverse con-
12 sequences of such disorders for such veterans
13 and members, including an analysis of—

14 (i) the information gathered from re-
15 screening data obtained from post deploy-
16 ment interviews; and

17 (ii) treatments that have been shown
18 to be effective in the treatment of post
19 traumatic stress disorder, traumatic brain
20 injury, or other mental health disorders
21 caused by service in the Armed Forces.

22 (2) RECOMMENDATIONS.—The commission
23 shall develop recommendations on the development
24 of initiatives—

1 (A) to mitigate the adverse consequences
2 studied under paragraph (1)(B); and

3 (B) to reduce cultural stigmas associated
4 with treatment of post traumatic stress dis-
5 order, traumatic brain injury, or other mental
6 health disorders of veterans and members of the
7 Armed Forces.

8 (3) ANNUAL REPORTS.—Not later than Sep-
9 tember 30 each year, the commission shall submit to
10 the appropriate committees of Congress a report
11 containing the following:

12 (A) A detailed statement of the findings
13 and conclusions of the commission as a result
14 of its activities under paragraph (1).

15 (B) The recommendations of the commis-
16 sion developed under paragraph (2).

17 (d) POWERS OF THE COMMISSION.—

18 (1) SITE VISITS.—The commission may visit lo-
19 cations where veterans and members of the Armed
20 Forces with post traumatic stress disorder, trau-
21 matic brain injury, or other mental health disorders
22 caused by service in the Armed Forces receive treat-
23 ment for such disorders to carry out the oversight
24 and monitoring required by subsection (c)(1)(A).

1 (2) INFORMATION FROM FEDERAL AGENCIES.—

2 The commission may secure directly from any Fed-
 3 eral department or agency such information as the
 4 commission considers necessary to carry out the pro-
 5 visions of this Act. Upon request of the chair of the
 6 commission, the head of such department or agency
 7 shall furnish such information to the commission.

8 (e) TERMINATION.—The commission shall be termi-
 9 nated at the joint discretion of the Secretary of Defense
 10 and the Secretary of Veterans Affairs.

11 (f) APPROPRIATE COMMITTEES OF CONGRESS DE-
 12 FINED.—In this section, the term “appropriate commit-
 13 tees of Congress” means—

14 (1) the Committee on Armed Services and the
 15 Committee on Veterans’ Affairs of the Senate; and

16 (2) the Committee on Armed Services and the
 17 Committee on Veterans’ Affairs of the House of
 18 Representatives.

19 **SEC. 4. HEROES-TO-HEALERS PROGRAM.**

20 (a) IN GENERAL.—Part III of title 38, United States
 21 Code, is amended by adding at the end the following:

22 **“CHAPTER 44—HEROES-TO-HEALERS**
 23 **PROGRAM**

“Sec.

“4400. Purposes.

“4401. Definitions.

“4402. Authorization of Heroes-to-Healers Program.

“4403. Recruitment and selection of Program participants.

“4404. Participation agreement and financial assistance.

“4405. Participation by States.

“4406. Reporting requirements.

“4407. Authorization of appropriations.

1 **“§ 4400. Purposes**

2 “The purposes of this chapter are—

3 “(1) to encourage veterans and members of the
4 Armed Forces separating from the Armed Forces—

5 “(A) to obtain certification or licensing as
6 mental health care providers; and

7 “(B) to obtain employment with Federal,
8 State, and local agencies and nongovernmental
9 organizations that provide mental health care to
10 members of the Armed Forces, veterans, or the
11 families of such members or veterans; and

12 “(2) to enhance the capacity of such agencies
13 and organizations to provide such care, by increasing
14 the number of individuals seeking employment for
15 the provision of such care.

16 **“§ 4401. Definitions**

17 “In this chapter:

18 “(1) The term ‘mental health care provider’,
19 with respect to an individual, means a psychiatrist,
20 psychologist, social worker, psychiatric nurse, mental
21 health counselor, or marriage and family therapist.

1 “(2) The term ‘Program’ means the Heroes-to-
 2 Healers Program authorized by section 4402 of this
 3 title and described in this chapter.

4 **“§ 4402. Authorization of Heroes-to-Healers Program**

5 “(a) PURPOSE.—The purpose of this section is to au-
 6 thorize—

7 “(1) the Heroes-to-Healers Program; and

8 “(2) a mechanism for the funding and adminis-
 9 tration of such program.

10 “(b) PROGRAM AUTHORIZED.—(1) The Secretary
 11 may carry out a program—

12 “(A) to assist eligible individuals described in
 13 section 4403 of this title in obtaining certification or
 14 licensing (as prescribed for under applicable State
 15 law) as mental health care providers; and

16 “(B) to facilitate the employment of such indi-
 17 viduals, by Federal, State, and local agencies and
 18 nongovernmental organizations that provide mental
 19 health care to members of the Armed Forces, vet-
 20 erans, or the families of such members or veterans,
 21 to provide such care.

22 “(2) The program authorized by paragraph (1) and
 23 described in this chapter shall be known as the ‘Heroes-
 24 to-Healers Program’.

1 “(c) ADMINISTRATION OF PROGRAM.—The Secretary
2 shall administer the Program in consultation with the Sec-
3 retary of Defense.

4 “(d) INFORMATION REGARDING PROGRAM.—The
5 Secretary shall provide to the Secretary of Defense infor-
6 mation regarding the Program and applications for par-
7 ticipation in the Program, for distribution as part of
8 preseparation counseling provided under section 1142 of
9 title 10 to members of the Armed Forces described in sec-
10 tion 4403 of this title.

11 “(e) PLACEMENT ASSISTANCE AND REFERRAL SERV-
12 ICES.—The Secretary may, with the agreement of the Sec-
13 retary of Defense, provide placement assistance and refer-
14 ral services to individuals who meet the criteria described
15 in section 4403 of this title.

16 **“§ 4403. Recruitment and selection of Program par-**
17 **ticipants**

18 “(a) ELIGIBLE INDIVIDUALS.—The following individ-
19 uals are eligible for selection to participate in the Pro-
20 gram:

21 “(1) Any individual who—

22 “(A) was a member of the Armed Forces
23 and becomes entitled to retired or retainer pay
24 in the manner provided in title 10 or title 14;
25 or

1 “(B) has an approved date of retirement
2 from service in the Armed Forces.

3 “(2) Any individual who—

4 “(A)(i) is separated or released from active
5 duty in the Armed Forces after two or more
6 years of continuous active duty in the Armed
7 Forces immediately before the separation or re-
8 lease; or

9 “(ii) has completed a total of at least—

10 “(I) three years of active duty service
11 in the Armed Forces;

12 “(II) three years of service computed
13 under section 12732 of title 10; or

14 “(III) three years of any combination
15 of such service; and

16 “(B) executes a reserve commitment agree-
17 ment for a period of not less than 3 years
18 under subsection (e)(2).

19 “(3) Any individual who is retired or separated
20 for physical disability under chapter 61 of title 10.

21 “(b) SUBMISSION OF APPLICATIONS.—(1) Selection
22 of eligible individuals to participate in the Program shall
23 be made on the basis of applications submitted to the Sec-
24 retary within the time periods specified in paragraph (2).

1 An application shall be in such form and contain such in-
2 formation as the Secretary may require.

3 “(2) An application of an individual shall be consid-
4 ered to be submitted on a timely basis under paragraph
5 (1) if the application is submitted not later than five years
6 after the date on which the individual is retired, separated,
7 or released from active duty in the Armed Forces, as the
8 case may be.

9 “(c) SELECTION CRITERIA.—(1) The Secretary shall
10 prescribe the criteria to be used to select eligible individ-
11 uals to participate in the Program.

12 “(2) An individual is eligible to participate in the Pro-
13 gram only if the individual’s last period of service in the
14 Armed Forces was honorable, as characterized by the Sec-
15 retary concerned. An individual selected to participate in
16 the Program before the retirement of the individual or the
17 separation or release of the individual from active duty
18 in the Armed Forces may continue to participate in the
19 Program after the retirement, separation, or release only
20 if the individual’s last period of service is characterized
21 as honorable by the Secretary concerned.

22 “(d) SELECTION PRIORITIES.—In selecting eligible
23 individuals to receive assistance under the Program, the
24 Secretary shall give priority to individuals who engaged
25 in combat while serving in the Armed Forces.

1 “(e) OTHER CONDITIONS ON SELECTION.—(1) The
2 Secretary may not select an eligible individual to partici-
3 pate in the Program under this section and receive finan-
4 cial assistance under section 4404 of this title unless the
5 Secretary has sufficient appropriations for the Program
6 available at the time of the selection to satisfy the obliga-
7 tions to be incurred by the United States under section
8 4404 of this title with respect to the individual.

9 “(2) The Secretary may not select an eligible indi-
10 vidual described in subsection (a)(2)(A) to participate in
11 the Program under this section and receive financial as-
12 sistance under section 4404 of this title unless—

13 “(A) the Secretary notifies the Secretary con-
14 cerned and the individual that the Secretary has re-
15 served a full stipend or bonus under section 4404 of
16 this title for the individual; and

17 “(B) the individual executes a written agree-
18 ment with the Secretary concerned to serve as a
19 member of the Selected Reserve of a reserve compo-
20 nent of the Armed Forces for a period of not less
21 than three years (in addition to any other reserve
22 commitment the individual may have).

1 **“§ 4404. Participation agreement and financial assist-**
2 **ance**

3 “(a) PARTICIPATION AGREEMENT.—(1) An eligible
4 individual selected to participate in the Program under
5 section 4403 of this title and receive financial assistance
6 under this section shall be required to enter into an agree-
7 ment with the Secretary in which the individual agrees—

8 “(A) within such time as the Secretary may re-
9 quire, to obtain certification or licensing as a mental
10 health care provider; and

11 “(B) to accept an offer of full-time employment
12 as a mental health care provider for not less than
13 five years with a Federal, State, or local agency or
14 nongovernmental organization that provides mental
15 health care to members of the Armed Forces, vet-
16 erans, or the families of such members or veterans.

17 “(2) The Secretary may waive the five-year commit-
18 ment described in paragraph (1)(B) for a participant if
19 the Secretary determines such waiver to be appropriate.
20 If the Secretary provides the waiver, the participant shall
21 not be considered to be in violation of the agreement and
22 shall not be required to provide reimbursement under sub-
23 section (f), for failure to meet the five-year commitment.

24 “(3) The Secretary shall encourage eligible individ-
25 uals to seek employment with mental health care providers

1 located more than 75 miles from a Department medical
2 center.

3 “(b) VIOLATION OF PARTICIPATION AGREEMENT;
4 EXCEPTIONS.—A participant in the Program shall not be
5 considered to be in violation of the participation agree-
6 ment entered into under subsection (a) during any period
7 in which the participant—

8 “(1) is pursuing a full-time course of study re-
9 lated to the field of mental health care at an institu-
10 tion of higher education;

11 “(2) is serving on active duty as a member of
12 the Armed Forces;

13 “(3) is temporarily totally disabled for a period
14 of time not to exceed three years as established by
15 sworn affidavit of a qualified physician;

16 “(4) is unable to secure employment for a pe-
17 riod not to exceed 12 months by reason of the care
18 required by a spouse who is disabled;

19 “(5) is a mental health care provider who is
20 seeking and unable to find full-time employment as
21 a mental health care provider in a Federal, State, or
22 local agency or nongovernmental organization that
23 provides mental health care to members of the
24 Armed Forces, veterans, or the families of such

1 members or veterans for a single period not to ex-
2 ceed 27 months; or

3 “(6) satisfies the provisions of additional reim-
4 bursement exceptions that may be prescribed by the
5 Secretary.

6 “(c) STIPEND FOR PARTICIPANTS.—(1) Subject to
7 paragraph (2), the Secretary may pay to a participant in
8 the Program selected under section 4403 of this title a
9 stipend in an amount of not more than \$5,000 per year
10 of participation in the Program.

11 “(2) The total number of stipends that may be paid
12 under paragraph (1) in any fiscal year may not exceed
13 2,500.

14 “(d) BONUS FOR PARTICIPANTS.—(1) Subject to
15 paragraph (2), the Secretary of Education may, in lieu
16 of paying a stipend under subsection (c), pay a bonus of
17 up to \$10,000 to a participant in the Program selected
18 under section 4403 of this title who agrees in the partici-
19 pation agreement under subsection (a) to become a mental
20 health care provider and to accept full-time employment
21 as a mental health care provider for not less than five
22 years in a Federal, State, or local agency or nongovern-
23 mental organization that provides mental health care to
24 members of the Armed Forces, veterans, or the families
25 of such members or veterans.

1 “(2) The total number of bonuses that may be paid
2 under paragraph (1) in any fiscal year may not exceed
3 2,000.

4 “(e) TREATMENT OF STIPEND AND BONUS.—A sti-
5 pend or bonus paid under this section to a participant in
6 the Program shall not be taken into account in deter-
7 mining the eligibility of the participant for Federal stu-
8 dent financial assistance provided under title IV of the
9 Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

10 “(f) REIMBURSEMENT UNDER CERTAIN CIR-
11 CUMSTANCES.—(1) A participant in the Program who is
12 paid a stipend or bonus under this section shall be re-
13 quired to repay the stipend or bonus under the following
14 circumstances:

15 “(A) The participant fails to obtain mental
16 health care provider certification or licensing, to be-
17 come a mental health care provider, or to obtain em-
18 ployment as a mental health care as required by the
19 participation agreement under subsection (a).

20 “(B) The participant voluntarily leaves, or is
21 terminated for cause from, employment as a mental
22 health care provider during the five years of required
23 service in violation of the participation agreement.

24 “(C) The participant executed a written agree-
25 ment with the Secretary concerned under section

1 4403(e)(2) of this title to serve as a member of a
2 reserve component of the Armed Forces for a period
3 of three years and fails to complete the required
4 term of service.

5 “(2) A participant required to reimburse the Sec-
6 retary for a stipend or bonus paid to the participant under
7 this section shall pay an amount that bears the same ratio
8 to the amount of the stipend or bonus as the unserved
9 portion of required service bears to the five years of re-
10 quired service. Any amount owed by the participant shall
11 bear interest at the rate equal to the highest rate being
12 paid by the United States on the day on which the reim-
13 bursement is determined to be due for securities having
14 maturities of 90 days or less and such interest shall accrue
15 from the day on which the participant is first notified of
16 the amount due.

17 “(3) The obligation to reimburse the Secretary under
18 this subsection is, for all purposes, a debt owing the
19 United States. A discharge in bankruptcy under title 11
20 shall not release a participant from the obligation to reim-
21 burse the Secretary under this subsection.

22 “(4) A participant shall be excused from reimburse-
23 ment under this subsection if the participant becomes per-
24 manently totally disabled as established by sworn affidavit
25 of a qualified physician. The Secretary may also waive the

1 reimbursement in cases of extreme hardship to the partici-
 2 pant, as determined by the Secretary.

3 “(g) RELATIONSHIP TO EDUCATIONAL ASSISTANCE
 4 UNDER TITLES 10 AND 38.—The receipt by a participant
 5 in the Program of a stipend or bonus under this section
 6 shall not reduce or otherwise affect the entitlement of the
 7 participant to any benefits under chapters 30, 31, 33, or
 8 35 of this title or chapters 1606 or 1607 of title 10.

9 **“§ 4405. Participation by States**

10 “(a) DISCHARGE OF STATE ACTIVITIES THROUGH
 11 CONSORTIA OF STATES.—The Secretary may permit
 12 States participating in the Program to carry out activities
 13 authorized for such States under the Program through
 14 one or more consortia of such States.

15 “(b) ASSISTANCE TO STATES.—(1) Subject to para-
 16 graph (2), the Secretary may make grants to States par-
 17 ticipating in the Program, or to consortia of such States,
 18 in order to permit such States or consortia of States to
 19 operate offices for purposes of recruiting eligible individ-
 20 uals for participation in the Program and facilitating the
 21 employment of participants in the Program as a mental
 22 health care provider.

23 “(2) The total amount of grants made under para-
 24 graph (1) in any fiscal year may not exceed \$5,000,000.

1 **“§ 4406. Reporting requirements**

2 “(a) ANNUAL REPORT REQUIRED.—Not later than
3 180 days after the date of the enactment of this chapter
4 and annually thereafter, the Secretary shall, in consulta-
5 tion with the Secretary of Defense, the Secretary of
6 Homeland Security, and the Comptroller General of the
7 United States, submit to Congress a report on the effec-
8 tiveness of the Program in the recruitment and retention
9 of qualified personnel by Federal, State, and local agencies
10 and nongovernmental organizations that provide mental
11 health care to members of the Armed Forces, veterans,
12 or the families of such members or veterans.

13 “(b) ELEMENTS OF REPORT.—The report submitted
14 under subsection (a) shall include information on the fol-
15 lowing:

16 “(1) The number of participants in the Pro-
17 gram.

18 “(2) The types of positions in which the partici-
19 pants are employed.

20 “(3) The populations served by the partici-
21 pants.

22 “(4) The agencies and organizations in which
23 the participants are employed as mental health care
24 providers.

25 “(5) The types of agencies and organizations
26 with which the participants are employed.

1 “(6) The geographic distribution of the agencies
2 and organizations with which participants are em-
3 ployed.

4 “(7) The rates of retention of the participants
5 by the Federal, State, and local agencies and non-
6 governmental organizations employing the partici-
7 pants.

8 “(8) Such other matters as the Secretary con-
9 siders to be appropriate.

10 **“§ 4407. Authorization of appropriations**

11 “‘There are authorized to be appropriated to the Sec-
12 retary to carry out the provisions of this chapter
13 \$10,000,000 for fiscal year 2009 and each fiscal year
14 thereafter.’”.

15 (b) CLERICAL AMENDMENTS.—The tables of chap-
16 ters at the beginning of title 38, United States Code, and
17 at the beginning of part III of such title, are each amend-
18 ed by inserting after the item relating to chapter 43 the
19 following new item:

“44. Heroes-to-Healers Program 4400”.

1 **SEC. 5. GRANT PROGRAM TO ENCOURAGE STATE AND**
 2 **LOCAL MENTAL HEALTH AGENCIES TO ES-**
 3 **TABLISH, EXPAND, OR ENHANCE MENTAL**
 4 **HEALTH PROVIDER RECRUITMENT AND RE-**
 5 **TENTION EFFORTS.**

6 (a) PURPOSES.—It is the purpose of this section to
 7 establish a program to recruit and retain highly qualified
 8 mid-career professionals and recent graduates of an insti-
 9 tution of higher education, as psychiatrists, psychologists,
 10 social workers, psychiatric nurses, mental health coun-
 11 selors, or marriage and family therapists.

12 (b) DEFINITIONS.—In this section:

13 (1) ELIGIBLE ENTITY.—The term “eligible enti-
 14 ty” means an entity described in subsection (c)(2).

15 (2) ELIGIBLE PARTICIPANT.—The term “eligi-
 16 ble participant” means—

17 (A) an individual with substantial, demon-
 18 strable career experience; or

19 (B) an individual who has graduated from
 20 an institution of higher education not more
 21 than 3 years prior to applying to an eligible en-
 22 tity to become to be a mental health provider
 23 under this section.

24 (3) MENTAL HEALTH PROVIDER.—The term
 25 “mental health provider” means a psychiatrist, psy-
 26 chologist, social worker, psychiatric nurse, mental

1 health counselor, marriage or family therapist, or
 2 any other provider determined appropriate by the
 3 Secretary.

4 (4) SECRETARY.—The term “Secretary” means
 5 the Secretary of Education.

6 (c) GRANT PROGRAM.—

7 (1) IN GENERAL.—The Secretary may, in con-
 8 sultation with the Secretary of Defense, the Sec-
 9 retary of Health and Human Services, and the Sec-
 10 retary of Veterans Affairs, establish a program to
 11 award grants, on a competitive basis, to eligible enti-
 12 ties to encourage State and local mental health
 13 agencies or other entities to establish, expand, or en-
 14 hance mental health provider recruitment and reten-
 15 tion efforts. The Secretary may establish tiered
 16 grant award amounts based on criteria including
 17 specific need for highly qualified mental health pro-
 18 viders by profession within a high demand area, geo-
 19 graphic location, and existing compensation rates.

20 (2) ELIGIBLE ENTITIES.—To be eligible to re-
 21 ceive a grant under this section, an entity shall be—

22 (A) a State health agency;

23 (B) a high-need local health agency;

24 (C) a for-profit or nonprofit organization
 25 that has a proven record of effectively recruit-

1 ing and retaining highly qualified mental health
2 providers, that has entered into a partnership
3 with a high-need local health agency or with a
4 State health agency;

5 (D) an institution of higher education that
6 has entered into a partnership with a high-need
7 local health agency or with a State health agen-
8 cy;

9 (E) a regional consortium of State health
10 agencies; or

11 (F) a consortium of high-need local health
12 agencies.

13 (3) PRIORITY.—In awarding a grant under this
14 subsection, the Secretary shall give priority to a
15 partnership or consortium that includes a high-need
16 State agency or local health agency.

17 (4) APPLICATION.—

18 (A) IN GENERAL.—To be eligible to receive
19 a grant under this section, an eligible entity
20 shall submit an application to the Secretary at
21 such time, in such manner, and containing such
22 information as the Secretary may require.

23 (B) CONTENTS.—An application submitted
24 under subparagraph (A) shall include a descrip-
25 tion of—

1 (i) one or more target recruitment
2 groups on which the applicant will focus its
3 recruitment efforts under the grant;

4 (ii) the characteristics of each such
5 target group that—

6 (I) demonstrate the knowledge
7 and experience of the group's mem-
8 bers; and

9 (II) demonstrate that the mem-
10 bers are eligible to achieve the pur-
11 poses of this section;

12 (iii) the manner in which the appli-
13 cant will use funds received under the
14 grant to develop a cadre of mental health
15 providers, or other programs to recruit and
16 retain highly qualified midcareer profes-
17 sionals, recent college graduates, and re-
18 cent graduate school graduates, as highly
19 qualified mental health providers, in high-
20 need military or veterans communities, or
21 as part of entities providing care to mili-
22 tary or veterans in medical facilities;

23 (iv) the manner in which the program
24 carried out under the grant will comply
25 with relevant State laws related to mental

1 health provider certification or licensing
2 and facilitate the certification or licensing
3 of such mental health providers;

4 (v) the manner in which activities
5 under the grant will increase the number
6 of highly qualified mental health providers,
7 in high-need Federal, State and local agen-
8 cies (in urban or rural areas), and in high-
9 need mental health professions, in the ju-
10 risdiction served by the applicant; and

11 (vi) the manner in which the applicant
12 will collaborate, as needed, with other in-
13 stitutions, agencies, or organizations to re-
14 cruit (particularly through activities that
15 have proven effective in retaining highly
16 qualified mental health providers), train,
17 place, support, and provide mental health
18 induction programs to eligible participants
19 under this section, including providing evi-
20 dence of the commitment of the institu-
21 tions, agencies, or organizations to the ap-
22 plicant's programs.

23 (5) DURATION OF GRANT.—The Secretary may
24 award grants under this subsection for periods of 5
25 years. At the end of the 5-year period for such a

1 grant, the grant recipient may apply for an addi-
 2 tional grant under this section.

3 (6) **EQUITABLE DISTRIBUTION.**—To the extent
 4 practicable, the Secretary shall ensure an equitable
 5 geographic distribution of grants under this sub-
 6 section among the regions of the United States.

7 (7) **USE OF FUNDS.**—

8 (A) **IN GENERAL.**—An entity shall use
 9 amounts received under a grant under this sub-
 10 section to develop a cadre of mental health pro-
 11 viders in order to establish, expand, or enhance
 12 mental health provider recruitment and reten-
 13 tion programs for highly qualified mid-career
 14 professionals, and recent graduates of an insti-
 15 tution of higher education, who are eligible par-
 16 ticipants.

17 (B) **AUTHORIZED ACTIVITIES.**—A program
 18 carried out under subparagraph (A) shall in-
 19 clude 2 or more of the following activities:

20 (i) To provide scholarships, stipends,
 21 bonuses, and other financial incentives,
 22 that are linked to participation in activities
 23 that have proven effective in retaining
 24 mental health providers in high-need areas
 25 operated by Federal, State and local health

1 agencies, to all eligible participants, in an
2 amount that shall not be less than \$5,000,
3 nor more than \$20,000, per participant.

4 (ii) To carry out pre- and post-place-
5 ment induction or support activities that
6 have proven effective in recruiting and re-
7 taining mental health providers, such as—

8 (I) mentoring;

9 (II) providing internships;

10 (III) providing high-quality,
11 preservice coursework; and

12 (IV) providing high-quality, sus-
13 tained inservice professional develop-
14 ment.

15 (iii) To make payments to pay the
16 costs associated with accepting mental
17 health providers under this section from
18 among eligible participants or to provide fi-
19 nancial incentives to prospective mental
20 health providers who are eligible partici-
21 pants.

22 (iv) To collaborate with institutions of
23 higher education in the development and
24 implementation of programs to facilitate
25 mental health provider recruitment (includ-

ing credentialing and licensing) and mental health retention programs.

(v) To carry out other programs, projects, and activities that are designed and have proven to be effective in recruiting and retaining mental health providers, and that the Secretary determines to be appropriate.

(vi) To develop long-term mental health provider recruitment and retention strategies, including developing—

(I) a national, statewide or regionwide clearinghouse for the recruitment and placement of mental health providers;

(II) reciprocity agreements between or among States for the certification or licensing of mental health providers; or

(III) other long-term teacher recruitment and retention strategies.

(C) EFFECTIVE PROGRAMS.—An entity shall use amounts received under a grant under this subsection only for programs that have proven to be effective in both recruiting and re-

1 taining mental health providers (as determined
2 by the Secretary).

3 (8) REQUIREMENTS.—

4 (A) TARGETING.—An entity that receives a
5 grant under this subsection shall ensure that
6 participants in the program carried out under
7 the grant who are recruited with funds made
8 available under the grant are placed in high-
9 need areas operated by high-need Federal,
10 State, and local health agencies. In placing such
11 participants in mental health facilities, such en-
12 tity shall give priority to facilities that are lo-
13 cated in—

14 (i) rural under served areas; or

15 (ii) urban areas with high percentages
16 of individuals who are members of the
17 Armed Forces or veterans.

18 (B) SUPPLEMENT, NOT SUPPLANT.—

19 Amounts made available under this section shall
20 be used to supplement, and not supplant, State
21 and local public funds expended for mental
22 health provider recruitment and retention pro-
23 grams.

24 (C) PARTNERSHIPS AND CONSORTIA OF
25 LOCAL HEALTH AGENCIES.—In the case of a

1 partnership established by a Federal, State, or
2 local health agency to carry out a program
3 under this section, or a consortium of such
4 agencies established to carry out such a pro-
5 gram, the Federal, State, or local health agency
6 or consortium shall not be eligible to receive
7 funds through a State program under this sec-
8 tion.

9 (9) PERIOD OF SERVICE.—A participant in a
10 program under this subsection who receives training
11 through the program shall serve at a high-need med-
12 ical facility or an agency operated by a high-need
13 Federal, State, or local health agency for a term of
14 not less than 3 years.

15 (10) REPAYMENT.—The Secretary shall estab-
16 lish such requirements as the Secretary determines
17 to be appropriate to ensure that a participant in a
18 program under this section who receives a stipend or
19 other financial incentive as provided for in para-
20 graph (7)(B)(i), but who fails to complete their serv-
21 ice obligation under paragraph (9), repays all or a
22 portion of such stipend or other incentive.

23 (11) ADMINISTRATIVE FUNDS.—An entity that
24 receives a grant under this subsection shall not use
25 more than 5 percent of the funds made available

1 under the grant for the administration of a program
2 under this subsection.

3 (12) AUTHORIZATION OF APPROPRIATIONS.—

4 There is authorized to be appropriated such sums as
5 may be necessary in each fiscal year to carry out
6 this subsection.

7 (d) EVALUATION AND ACCOUNTABILITY FOR RE-
8 CRUITING AND RETAINING MENTAL HEALTH PRO-
9 VIDERS.—

10 (1) EVALUATION.—An entity that receives a
11 grant under this section shall—

12 (A) within 30 days of the end of the 3rd
13 year of the grant period, conduct an interim
14 evaluation of the program funded under the
15 grant; and

16 (B) within 30 days of the end of the 5th
17 year of the grant period, conduct a final evalua-
18 tion of the program funded under the grant.

19 (2) CONTENTS.—In conducting an evaluation
20 under paragraph (1), an entity shall describe the ex-
21 tent to which State and local agencies that received
22 funds through the grant have met the goals relating
23 to mental health provider recruitment and retention
24 described in the application submitted by the entity
25 under paragraph (4).

1 (3) REPORTS.—An entity that receives a grant
2 under this Act shall prepare and submit to the Sec-
3 retary and the appropriate committees of Congress,
4 an interim and final report that contains the results
5 of the interim and final evaluations carried out
6 under subparagraphs (A) and (B) of paragraph (1),
7 respectively.

8 (4) REVOCATION.—If the Secretary determines
9 that the recipient of a grant under this section has
10 not made substantial progress in meeting the goals
11 and the objectives of the grant by the end of the 3rd
12 year of the grant period, the Secretary shall—

13 (A) revoke any payments made for the 4th
14 year of the grant period; and

15 (B) not make any payment for the 5th
16 year of the grant period.

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